

REMARKS

Claims 5-7 are pending and stand rejected. Claims 5-7 have been amended solely to clarify the claimed invention, and not to distinguish claims 5-7 from the cited references.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103(a)

The Examiner has rejected claims 5-7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,697,638 to Larsson in view of Khullar. Applicant respectfully traverses these rejections.

Claim 5

Claim 5 recites sending confirmation of an authentication to a wireless network authority, ending communication between a personal mobile phone and an embedded phone, and, after ending the communication, opening a communication session between the embedded phone and the wireless network based on the sent confirmation.

In contrast, Larsson and Khullar, taken either each alone or in combination, fail to teach or suggest the limitations of claim 5. As has been explained in Applicant's previously submitted papers, Larsson teaches that during the time at which the tandem of phone 100 and kit 160 are in communication with the cellular system (*i.e.*, in a communication session with a wireless network), the phone 100 and kit are in communication with each other. Only at step 340, "after the communication is finished," that is, after the phone/kit tandem cease communicating with the cellular system, do the phone 100 and kit 160 end communication with each other.

According to the limitations of claim 5, the embedded phone, using information identifying the mobile phone received during communication with the mobile phone, is able to communicate with the wireless network associated with the mobile phone after the embedded phone and mobile phone have ceased communicating with one another.

Khullar fails to supply the teachings missing from Larsson, namely ending communication between a personal mobile phone and an embedded phone, and after ending the

communication, opening a communication session between the embedded phone and a wireless network based on a sent confirmation. The Examiner alleges that “Khullar discloses a communication system wherein one of two transceivers are disabled for power considerations when another transceiver is in communication.” It is respectfully submitted that, even if the Examiner’s interpretation of Khullar was correct, a secondary reference that merely teaches a system having two or more communication devices, wherein only one such device is activated at a particular time, is not sufficient to supply the teachings missing from the Larsson reference. That is, in order for the Khullar reference to supply such teachings, two of the transducers of Khullar must be in communication with each other prior to (a) deactivating one of the transducers and (b) communicating with a wireless network using the other. Khullar simply does not teach this arrangement.

Moreover, if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). (See MPEP § 2143.01.) As discussed above, the fact remains that Larsson teaches that only “after the communication is finished,” that is, after the phone/kit tandem cease communicating with the cellular system, do the phone 100 and kit 160 end communication with each other. There is simply no indication in Larsson that if one or the other of the phone 100 and kit 160 were disabled, which the Examiner suggests is taught by the Khullar reference, that the kit would be able to conduct a communication session with a wireless network, as is recited in claim 5. Consequently, the principle of operation of the system of Larsson would be impermissibly changed by its combination with the teachings of the Khullar reference.

As such, Larsson and Khullar fail to teach or suggest the limitations required by Applicant’s claim 5, and the Examiner is requested to withdraw this rejection.

Claims 6 and 7

Claims 6 and 7 are patentable for reasons at least similar to those discussed above with reference to claim 5.

CONCLUSION

Applicants assert that currently amended, pending claims 5-7 are in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions, the Examiner is invited to contact the Applicant's attorney listed below. **If the Examiner disagrees with the positions advanced herein, the Applicant respectfully requests that the Examiner, prior to issuing an action rejecting any of the pending claims, contact the undersigned to arrange a telephonic discussion of the application.**

Respectfully submitted,

BLACK LOWE & GRAHAM PLLC

/P. G. Scott Born/

P. G. Scott Born
Registration No. 40,523
Direct Dial: 206.218.3189